

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

RAY A. EDDINGTON, #154212,

Petitioner,

v.

CASE NO. 05-CV-72508-DT  
HONORABLE LAWRENCE P. ZATKOFF

STATE OF MICHIGAN,

Respondent.

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**ORDER OF SUMMARY DISMISSAL**

The Court has before it Petitioner Ray A. Eddington's *pro se* petition for writ of habeas corpus. Petitioner is a state prisoner currently confined at the Charles Egeler Correctional Facility in Jackson, Michigan. Petitioner did not pay the required filing fee when he filed his petition, nor did he submit a complete and up-to-date application to proceed *in forma pauperis*. See 28 U.S.C. § 1914(a); 28 U.S.C. § 1915; Rule 3 of the Rules Governing § 2254 Cases. The Court, therefore, issued an Order to Correct Deficiency on June 24, 2005 requiring Petitioner to either pay the filing fee or submit a properly completed *in forma pauperis* application. The order provided that if Petitioner did not submit the fee or requested information within 21 days of the date of the order, his case would be dismissed.

The time for submitting the filing fee or required information has elapsed and Petitioner has failed to correct the deficiency. Accordingly, the Court **DISMISSES WITHOUT PREJUDICE** the petition for writ of habeas corpus.

**IT IS SO ORDERED.**

s/Lawrence P. Zatkoff

LAWRENCE P. ZATKOFF

UNITED STATES DISTRICT JUDGE

Dated: December 21, 2005

CERTIFICATE OF SERVICE

The undersigned certifies that a copy of this Order was served upon the attorneys of record by electronic or U.S. mail on December 21, 2005.

s/Marie E. Verlinde

Case Manager

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